

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

GORDON MARTINES,

Plaintiff,

vs.

LAS VEGAS METROPOLITAN POLICE,
 DEPARTMENT, *et al.*,

Defendants.

Case No. 2:12-cv-01441-LDG-NJK

ORDER

Request for Exemption from
 Attendance at ENE (#18)

This matter comes before the Court on Defendants' Request for Exemption from Attendance at the ENE (#18), filed on January 24, 2013. Plaintiff filed a timely Opposition (#19) on January 25, 2013. Defendants filed a timely Reply (#21) on February 4, 2013. The Early Neutral Evaluation ("ENE") for this case is scheduled for February 22, 2013. *See Doc. #14.*

Defendants seek exemption from the ENE attendance requirements for all of the individually-named Las Vegas Metropolitan Police Department ("LVMPD") employees and officers. Defendants argue that requiring personal attendance of the LVMPD Defendants would be unduly burdensome, in part because the Defendants represent one-quarter of the LVMPD Executive Staff. Furthermore, two LVMPD Defendants will be out of the District on the date of the ENE. Plaintiff asserts Defendant Gillespie's attendance is necessary because he alone possesses full settlement authority for the LVMPD. Defendants represent, however, that this authority can be delegated and that an LVMPD representative with full settlement authority will attend the ENE. The Court finds that Defendants show good cause for an exemption from the ENE attendance requirements. Accordingly,

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1 **IT IS HEREBY ORDERED** that Defendants' Request for Exemption from Attendance
2 Requirements for Early Neutral Evaluation (#18) is **granted**.

3 DATED this 7th day of February, 2013.

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6 GEORGE FOLEY, JR.
7 United States Magistrate Judge
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